

### REMARKS

Claims 1-16 are pending in the application. These claims were rejected under 35 U.S.C. §102 as being anticipated by Eaton, et al., U.S. patent publication no. 2005/0283263.

5 Applicants respectfully disagree with the Examiner's characterization of the teachings of the Eaton and this reference's anticipation of the present invention.

The independent claims are directed to a device, method, and system that generally contain the following attributes/entities:

- 10 an audiological application access device to which the plurality of audiological applications for controlling audiological hardware components can be connected for uniform data exchange,
- an audiological data administration connection device to which at least one audiological data administration system can be connected, and
- 15 a converter device, that closes a connection between the audiological application access device and the audiological data administration connection device, the converter device being configured to perform at least one of:
- a) converting respectively specific audiological application data
- 20 acquired by the audiological application access device in a predeterminable databank format for the plurality of audiological applications, and
- b) converting databank audiological data acquired from the audiological data administration connection device into one
- 25 or more respectively specific application formats for the plurality of audiological applications.

In very simple terms, an important feature of the invention is to be able to  
a) convert audiological application data from a plurality of audiological  
applications into a predeterminable databank format; or b) convert audiological  
application data to specific application formats for a plurality of audiological  
5 applications. In other words, the claimed interface comprises a converter device  
that is configured to convert specific application data in at least one data bank  
format chosen from a variety of predeterminable databank formats (alternative  
a). The interface device of the present invention (alternative b) is configured to  
convert data from a data administration connection device into an application  
10 format chosen from a "plurality" of application formats.

Eaton discloses a hearing aid system with a mobile device adapted to  
communicate with a remote server and with a listening device to transfer data  
from the server to the listening device and vice versa. In a special embodiment  
the mobile device can also compress and decompress digital audio signals  
15 (claims 2, 3, 24 and 25). Thus, in one embodiment, the mobile device of Eaton  
just serves as relay station or amplifier without intelligence for communication  
streams and appertaining formatting. In another embodiment, the mobile device  
taught by Eaton is adapted to convert data (aural responses), into one  
predetermined audiogram format and for one audiological application. This is a  
20 significant difference compared to the interface device as claimed in the  
independent claims.

Importantly, the mobile device Eaton teaches interaction with different  
applications only in different embodiments, and therefore the mobile device of

Eaton is not configured to perform the claimed "converting databank data acquired from the data administration connection device into one or more respectively specific application formats for the plurality of applications".

Therefore, the present converter is more flexible than that as taught by Eaton,

5 since it can convert into several formats within one embodiment.

The Examiner cites to Eaton's paragraph [0010] as disclosing the plurality of audiological applications as taught by the present invention; however, the section of Eaton cited by the Examiner only discloses one application here: the aural response of a patent for audiological therapy. Eaton's paragraph [0034]

10 cited by the Examiner for the first element of claim 1 is completely silent with respect to the plurality of audiological applications as required by this claim element. This is true for Eaton's paragraph [0037] cited by the Examiner for the second element of claim 1. Note that Eaton's paragraphs [0034] and [0037] do discuss a plurality of protocols that can be used for the respective short-range  
15 and long-range communications, but this clearly cannot be read on the plurality of audiological applications as claimed in the present independent claims.

Similarly, the Examiner's recitation of Eaton's paragraph [0048] (with respect to claims 2, 4, 9 and 11) only teaches one application related to an aural response.

With respect to the last element of claim 1, the Examiner cites Eaton's  
20 paragraph [0041] which, although disclosing a plurality of applications, deals with the mechanisms for movement and use of these applications themselves and not with a conversion of application data into particular formats as required by this claim element.

Furthermore, with respect to the additional dependent claims, various paragraphs of Eaton are discussed as to the plurality of applications (paragraphs [0051], [0053], [0055]), however, as noted previously, these related to separate independent embodiments (i.e., different applications in different separate  
5 embodiments”) and therefore Eaton fails to teach or suggest the invention claimed by the present application.

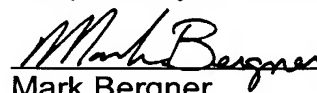
For these reasons, the Applicant asserts that the amended claim language clearly distinguishes over the prior art, and respectfully request that the Examiner withdraw the 35 U.S.C. §102 rejection from the present application.

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### CONCLUSION

Inasmuch as each of the objections have been overcome by the amendments, and all of the Examiner's suggestions and requirements have been satisfied, it is respectfully requested that the present application be reconsidered, the rejections be withdrawn and that a timely Notice of Allowance be issued in  
15 this case.

Respectfully submitted,

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